12 inductees selected for 2013 Hall of Fame

Congratulations to the twelve exemplary lawyers and judges who have been inducted into the Maricopa County Bar Hall of Fame. Eight were chosen for the modern era and four were selected into the pioneer era, for accomplishments occurring before 1964.

For the modern era, we honor Don Bivens, Hon. Robert A. Broomfield, Patricia Gerrich, Hon. Andrew Hurwitz, Lillian Johnson, David Rosenbaum, Hon. Michael Ryan and Hon. Roxanne Song Ong.

For the pioneer era, we honor Louis Chalmers, Edward Kent, Calvin Udall and Philip Von Ammon.

The Hall of Fame was created in 2008 by the MCBA to recognize the outstanding lawyers and judges who are or were true giants of the profession, primarily in Maricopa County.

Inductees were selected based on criteria which includes: Practiced for at least 10 years; played prominent and important roles that have had an impact on the history and development of our local bar and the legal profession; made significant or unique contributions to the law or the administration of justice; and/or demonstrated significant leadership, advocacy and accomplishments in service to the community or the profession.

These 12 inductees will be honored on Oct. 30 at the MCBA’s Annual Meeting/Hall of Fame Luncheon at the Hyatt Regency Phoenix. Registration for this event is available now at www.maricopabar.org.

Lessons learned in San Francisco and the Bench/Bar Conference

I am writing this month’s article after having just returned from the annual meeting of the National Conference of Bar Presidents (NCBP) in San Francisco, Calif. It was great to meet and mingle with fellow bar presidents and executives from state and metro bar associations across the country and exchange ideas about what’s working and what’s not within their respective bar associations. I was accompanied by our stalwart Executive Director Allen Kimbrough.

After two full days of programming, I am happy to report that we are now back with many fresh ideas about how our bar association can better provide value for you, our members. Indeed, some of the best ideas and discussions were centered on the future of our bar and our law student members. While we have always valued the future of our bar and our law student members, I hope we can better engage them, especially in this tough legal market. In turn, I intend to establish a division within the MCBA for just our law student members. Other ideas included hiring a 3L, part-time, to assist with peer-to-peer outreach among law students at our local law schools and beyond. As I have learned this year, personal outreach is key to growing our membership.

Before turning to the next topic that is near and dear to my heart, I would be remiss without congratulating Allen for just completing a very successful term as president of the Metropolitan Bar Caucus (MBC). Allen brings great respect and admiration to our local bar association, and we are lucky to have him.

And, as I mentioned last month, we are coming up on a busy fall as we work to rekindle the Bench/Bar Conference, which will be held on October 11, 2013, at the beautiful Hotel Palomar in downtown Phoenix. While we are still working out all the logistics, the conference will start with a brief State of the Maricopa County Superior Court by the Honorable Norman Davis, Presiding Judge.

The conference will wrap up with an opportunity to mix and mingle with your peers within the bar and on the bench. Look for more details about this exciting program on our website and future e-blasts.

Pleading defendant can’t challenge length of sentence

The Arizona Court of Appeals recently told prison inmate Sergio F. Gonzales Barrera that he must keep his word and that the State of Arizona had kept its own word in connection with a plea bargain that gave Barrera a longer prison sentence than he had expected. The court affirmed a lower court’s order rejecting Barrera’s attack on his 20-year prison sentence after he pleaded guilty to counts involving sexual conduct with a minor. State v. Barrera, No. 2 CA-CR 2013-0164-PR (Ariz. App. July 26, 2013).

Charges were brought after Barrera lured a 13-year-old girl to a hotel room for sex. He agreed to plead guilty to several dangerous crimes against children: sexual conduct with a minor under 15, attempted sexual conduct with a minor, and luring a minor for sexual exploitation. The plea agreement stipulated a sentence of between 13 and 27 years, and that the state would recommend 13 years flat time, followed by lifetime probation, “extremely poor judgment and impulse control,” while showing “a great deal of thought and planning in targeting his young victim.” Her recommendation concluded: “While it is known that the Defendant also targeted other young girls, it is the State’s position that 13 years flat time, followed by lifetime probation, is an appropriate sentence.”

If Barrera was expecting the judge to adopt the prosecutor’s recommendation, he was in for a surprise. At the sentencing hearing, the judge told Barrera that she was extremely bothered by his conduct, “sitting in this courtroom smirking and rolling your eyes.” She doubted that he had taken responsibility for his crime and believed that he was unmoved by the harm that he had caused to the child. With that, the judge sentenced Barrera to 20 years flat time for the sexual-con
Access to records changing in criminal and juvenile cases

By John F. Barwell

A recent opinion from the Ninth Circuit Court of Appeals is a cautionary tale for lawyers and litigants who rely on protective orders to ensure evidence is returned or destroyed post litigation. 

Blum v. Merrill Lynch Pierce Fenner & Smith Inc. underlines the importance of follow-through on the conditions of a protective order. In Blum, the Ninth Circuit affirmed a district court’s order modifying a 2004 protective order that originally required the destruction of a deposition transcript at the conclusion of litigation. The litigation ended in 2005, but the transcript was never destroyed. Several years later, in separate litigation involving the same party who gave the prior deposition, a new party discovered the transcript and intervened in the previous action to prevent the transcript’s destruction. The district court modified the protective order to block the destruction of the transcript because it determined the testimony was relevant to the new litigation. The district court ordered the transcript into escrow to ensure its preservation.

The Ninth Circuit did not opine as to whether the transcript could actually be used as evidence in the later proceeding, but the fact that the Ninth Circuit effectively blocked its destruction presents risk to a litigant who seeks to ensure the otherwise protected information remains unavailable after the underlying litigation ends. Blum provides an important lesson for lawyers who use protective orders: If a protective order calls for the return or destruction of evidence, the protected party must affirmatively ensure the party possessing the evidence satisfies its obligation to return or destroy it.

To read the full opinion, see Blum v. Merrill Lynch Pierce Fenner & Smith Inc., 712 F.3d 1349 (9th Cir. 2013).

John F. Barwell is an attorney with Polzinelli, PC and a member of the Maricopa Lawyer Editorial Board.
Checking for good writing:
Reverse outlining

As a linear, sequential thinker, I was a bit taken aback the first time a law student told me she had never outlined before writing a paper. How did she check her organization? How did she review her content effectively? Over the years, I found out her experience is quite common. Many legal writers do not outline before writing. Writers who do not outline claim they never learned how to do it, they have always been successful writers without outlining, and they do not see the value in learning the skill now. Outlining has great value, though, and I see firsthand that outlining (either pre-writing or reverse) delivers what has been promised. And I see new topics have a proper introduction; threshold issues are presented first; are rules given and explained before they are applied to a client’s facts? Is any information missing? Do new topics have a proper introduction? Are there repetitive paragraphs or topics that can be combined?

In addition, reverse outlining has another important function as an “insurance policy.” A newer legal writer can share this reverse outline with a mentor or senior attorney as a check before turning in a final project. After all, the goal of outlining is to make sure the writer delivers what has been promised. And I see firsthand that outlining (either pre-writing or in reverse) pays off.

First, look at each paragraph in the document and write down that paragraph’s main point either on a separate piece of paper or in the margin. Most importantly, limit yourself to using only a word or short phrase to give the main point. If you feel you need more words to capture the essence of the paragraph, this fact tells you that the paragraph is too long and likely jumbles too many topics; the paragraph is in need of a rewrite. If you cannot distill the main point of a paragraph, neither can the reader.

Once the main point of each paragraph is outlined, you can now review the outline for a number of concerns and rewrite as needed. As yourself:
- Is the paper logically organized?
- Are threshold issues presented first?
- Are rules given and explained before they are applied to a client’s facts?
- Is any information missing?
- Do new topics have a proper introduction?
- Are there repetitive paragraphs or topics that can be combined?

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Get involved in upcoming YLD-sponsored events

The ABA YLD comes to Phoenix

My first encounter with the American Bar Association (ABA) was in law school. Sure, prior to law school, I had heard the abbreviation “ABA” thrown about and had a general idea of what and whom it applied to – the legal profession and lawyers. But, I was ignorant of the ABA’s level of national community involvement and professional development opportunities. As a board member of the ABA YLD, I was able to see the positive impact of the ABA at a local level. Not only does the ABA publish the annual Law Week theme for Law Day (May 1) that the MCBA YLD has implemented for years, but it has also provided generous grants to the MCBA YLD’s community activities throughout the years.

This year, Phoenix has the unique opportunity of hosting the ABA YLD fall conference. The conference is a joint meeting between the ABA YLD and the ABA Law Practice Management Section and will take place October 10-12, 2013 at the Arizona Biltmore. The conference will officially kickoff with a reception on Thursday evening at 8:30 p.m. However, CLEs will begin earlier in the day. The CLE topics include, but are not limited to, the following:

- “Supreme Court 2013: An In-Depth Review of the Practical Implications of the blockbuster Civil Rights Decisions,” “Anatomy of ADR,” “Introduction to Legal Issues Related to Bullying,” “Arizona Civil Rights Frontier” and “Hot Topics in Native American and Indigenous Law.”

There will also be fun social events including a dinner and dance on Friday night.

The registration fee for the conference is $85 for ABA members and $95 for non-members. There are also sponsorship opportunities in the $500-$1,000 range and speaking opportunities. For more information, you may contact MCBA YLD Past-President, Stefan Palo, at spalys@stinson.com. Stefan is the acting Administrative Director of the American Bar Association’s Young Lawyers Division and Chair of the Phoenix Host Committee. He will be able to provide you with any assistance or information you may need in regard to the fall conference. You may also go directly to the ABA website at www.americanbar.org/calendar/2013/10/yld-2013-fall-conference.

Race judicata registration open now

Prior to the ABA YLD Fall Conference, the MCBA YLD will host its annual Race Judicata on October 6, 2013 at Kiwanis Park in Tempe. The race benefits the MCBA YLD and the Domestic Violence Committee. The early registration fee is $25. For more information about the race you may go to http://beta.active.com/tempe-az/running/race-judicata-5k-2013, or contact the committee co-chairs Ben Eid at ben.eid@gmail.com and Kieran Curley at kieran.curley@curley-allison.com. We hope to see you there!

Ariz. Supreme Court inadvertent disclosure opinion is logical, methodical

By Thomas K. Irvine

The Arizona Supreme Court issued its opinion in Lund v. Myers, CV-12-0349-PR, which sets out how disputes concerning the use of allegedly privileged documents that were inadvertently disclosed should be handled. This opinion is important in dealing with inadvertent disclosures. It cites federal and ethical rules in support of its analysis; therefore, it may be of national interest in states without appellate guidance on such issues.

This opinion is in the context of litigation (it cites Federal Rule of Civil Procedure 26 and Arizona Rule of Civil Procedure 26.1), however, it applies to all non-litigation contexts involving inadvertent disclosures of privileged/confidential documents as well (it cites ER 4.4(b)).

Facts

The state Supreme Court calls the numerous petitioners “Lund” and the numerous real parties in interest “Miller.” Lund was engaged in litigation with Miller. Interim Commissioner Strouse and Salomon (JS&S) had formerly represented Lund. JS&S was not involved in the Lund/Miller lawsuit. In response to a subpoena duces tecum issued in 2011, JS&S mistakenly provided its Lund file to Lund’s opponent, Miller, thinking that it was being provided to Lund’s lawyer. Lund’s lawyer immediately contacted Miller’s counsel, Burch and Cracchiolo (B&C), to ask that the documents be returned. Rather than returning the documents, B&C filed a disclosure statement attaching copies of all of the documents in the JS&S file, thus sharing the documents with all parties. Lund’s lawyer filed a Motion to Disqualify B&C from continued involvement in the litigation and other motions aimed at having the documents returned to JS&S.

Holding

Citing both Rule 26.1(f)(2) (Federal Rule Civ.P. 26(b)(5)(B)) and ER 4.4(b), the court explains how to deal with a document that a party alleges was inadvertently produced:

“Together, these provisions emphasize that a receiving party has a duty to suspend use and disclosure of the allegedly privileged documents until the privilege claim has been resolved either through agreement or court ruling.”

The court then sets out the process required to resolve the dispute:

“We address when a trial court, in deciding issues of privilege and waiver, may review in camera allegedly privileged documents that were inadvertently disclosed. We hold that before reviewing a particular document, a trial court must first determine that in-camera review is necessary to resolve the privilege claim.”

The Supreme Court sets out a multi-staged procedure to handle these situations. Basically:

1) the party who has received allegedly privileged documents cannot use the document in any way other than in resolving the privilege claim until the claim is resolved (filing in court under seal is permissible), 2) the party receiving the documents can assert that any document is not privileged and does not need to be returned (this is a document – by document assertion, which seems to give short shrift to the related concept of confidentiality – which the court did not deal with, see E.R. 1.6), 3) the trial judge will then consider the assertions and the responses as to each document at issue to determine if in-camera review is needed. (“Such review may be required if the receiving party makes a factual showing supporting a reasonable, good faith belief that the document is not privileged.”) and 4) conduct the in-camera review if needed.

The opinion suggests that a judge not assigned to a case perform the review to avoid the need for recusal. The judge, who in this probate case will hear the substantive case, at every turn must consider the impact of potential recusal in determining how to handle in-camera reviews (this procedural caution will extend to any in-camera review matter).

The Supreme Court did not rule on the disqualification motion, any substantive claim of privilege or sanctions; all of that was sent back to the trial court. Matters concerning violations of ER 4.4(b) may end up with bar charges; such a possibility is not mentioned in the opinion.

It will be two very expensive years after the mistake and actions by the time the trial court sorts out what parts of the file need to be returned, if any – there could be special actions (interlocutory appeals) taken from the trial court’s rulings on remand.

Comment

The Supreme Court’s approach is logical and methodical; it places the burden on the party who received the inadvertently disclosed documents to make a case to keep any given document that is asserted to have been inadvertently disclosed. It is clear that providing prompt notice of an inadvertent disclosure is key.

The opinion also makes clear that any document subject to an allegation of inadvertent disclosure is not to be used in any way, e.g., provided to an expert, etc., until the issue of privilege is resolved. Not mentioned in the opinion is confidentiality; in the proper case documents that are not privileged may be subject to recovery under a confidentiality theory (particularly if the document was not subject to mandatory disclosure).

By Thomas K. Irvine

The Arizona Supreme Court opinion is likely to be cited in many states as it relies upon Arizona rules that are virtually identical to the Federal Rules Cr.P. and the ethical rules.

Thomas K. Irvine is a shareholder at Polinelli, P.C., and practices in commercial litigation, real estate development and transactions.

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Maricopa County Bar Foundation curling fundraiser

We had a great turn out at the MCBF Curling Fundraiser at The Ice Den! After munching on some appetizers at happy hour, sponsored by Roofing Southwest and Pivot Building Services, everyone hit the ice for a curling lesson from the Coyotes Curling Club.

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Come walk, run or stroll your way through the ninth annual Race Judicata 5K, 1-mile walk and Kids’ Dash. Proceeds benefit the Young Lawyers Division and survivors of domestic violence.

WHEN & WHERE
SUNDAY, OCT. 6  ■  KIWANIS PARK, 5500 S. MILL AVE., TEMPE.
Check-in and registration begins at 6 a.m.
6K race begins at 7 a.m.
The 1-mile walk starts at 7:10 a.m. and the Kids’ Dash begins immediately after the 5K race.

ENTRY FEES
EARLY BIRD REGISTRATION: $25  ■  SLEEP-IN (DONATION ONLY): $25
KIDS (UNDER 15): $12 (AFTER SEPT. 23): $17  ■  LATE REGISTRATION (AFTER SEPT. 23): $30

Every paid entrant receives a goodie bag, a Race Judicata T-shirt, and free food and drink after the race. Please also bring a new toothbrush or tube of toothpaste for donation to local domestic violence shelters.

Visit active.com for more info or to register.
Bar Exam After Party at Chase Field

We had a great turnout at the bar exam after party at TGI Friday’s Front Row Sports Grill at Chase Field in downtown Phoenix. The MCBA, the Sandra Day O’Connor College of Law, the James E. Rogers College of Law and the Phoenix School of Law sponsored the party.

The scene at TGI Friday’s Front Row Grill

William Kelhoffer from Phoenix School of Law

Nathan Arrowsmith, MCBA Executive Director Allen Kimbrough and Kyle Riggs from ASU

MCBA Treasurer T.J. Ryan, President David Funkhouser III and Secretary Kyle Hirsch

Chris Kurtzman and Scott Rieer from ASU

Lucas Larose and Brett Stavin from ASU

SEPTEMBER 2013 CALENDAR

All events at MCBA Office, unless otherwise specified.

2 Closed for Labor Day

4 Young Lawyers Division Board meeting
   12 p.m.

5 Construction Law Section Board meeting
   12 p.m.

6 Estate Planning, Probate & Trust Section Board meeting
   7:30 a.m.

9 MCBA Leadership Council lunch
   12 p.m.

11 Environmental & Natural Resources Section Board meeting
   12 p.m.

12 MCBA Executive Committee meeting
   7:30 a.m.
   CLE: How to Work with Child Protective Services an Overview for Family Law Practitioners
   8:30 a.m.

17 Family Law Section Board meeting
   12 p.m.

18 Lawyer Referral Services Board meeting
   12 p.m.

19 CLE: Factors to Help Make Your Clients FLP Bullet Proof to Audit Challenge
   7:30 a.m.
   CLE: Climate Change in the Southwest - Recent Developments
   11 a.m. Phoenix School of Law
   CLE: Limited Liability Company Operating Agreement Drafting Tips
   12 p.m.
   MCBA Board of Directors meeting
   4:30 p.m.

25 Maricopa County Bar Foundation Board meeting
   7:30 a.m.

27 Arizona Paralegal Conference 2013
   7:30 a.m.

Please watch your MCBA E-News for updated information about meetings and events.
Arizona Court of Appeals denies continued from page 2

duct charge, followed by lifetime probation for the other counts.

Barrera challenged the sentence as excessive, asserting that it violated the Cruel and Unusual Punishments Clause of the Eighth Amendment. He compared his case to State v. Davis, 206 Ariz. 377, 79 P.3d 64 (2003), where the supreme court invalidated a 52-year flat sentence given to a young man who had been convicted after having voluntary sex with two post-pubescent teenage girls.

Writing for the court of appeals, Judge Michael Miller rejected Barrera’s argument. He noted that Barrera, unlike Davis, had pleaded guilty. Miller concluded that by agreeing to plead guilty, Barrera had given up his constitutional right to challenge the sentence as excessive.

Miller pointed out that a defendant cedes certain constitutional rights by pleading guilty, including the privilege against self-incrimination, the right to a jury trial and the right to confront his accusers. From there, it was not a big step to conclude that Barrera had given up his Eighth Amendment right as well when he agreed to the plea deal.

Miller noted that through plea negotiations the “state may impose conditions that require the defendant to give up additional rights.” He noted that a defendant may voluntarily surrender any constitutional right, as long as he does so knowingly and voluntarily.

Miller drew on United States v. Bascomb, 451 F.3d 1292 (11th Cir. 2006), where the 11th Circuit had opined that allowing a pleading defendant to challenge his sentence could “undeceive the enforceability of plea bargains and harm all parties that use them.” Hence, “a defendant may … waive his right to appeal a sentence on the ground that its length … renders it cruel and unusual.”

Miller noted that Barrera had, in writing, ceded “any and all defenses … to the Court’s … imposition of a sentence upon him consistent with this Plea Agreement.” The agreement also warned that the judge was not bound by the sentence recommendation and could impose any sentence within the applicable range.

That was enough for Miller. “The trial court [did] impose a sentence consistent with the plea agreement,” he noted. Thus, he concluded, Barrera was barred from challenging his sentence under the Eighth Amendment.

Having held, in effect, that Barrera would have to keep his word, Miller next held that the prosecutor had kept her word by recommending a 13-year sentence. Barrera asserted that the prosecutor had violated the spirit of the agreement by making negative statements about him and highlighting the views of the victim’s parents. Miller rejected the notion. He noted that the prosecutor had not cross-examined Barrera’s mitigation witnesses and had actually made the agreed-upon recommendation. He added that the plea agreement did not bar the prosecutor from commenting on Barrera’s conduct.

Joining Miller in upholding the rejection of Barrera’s petition for postconviction relief were Chief Judge Joseph Howard and retired Judge J. William Branner, Jr.
CONTINUING LEGAL EDUCATION
The heart of MCBA membership is an opportunity to engage with other attorneys in the local community. One way to do this is through MCBA CLE programs. If affordable CLE is what you need, we’ve got it – live, online or in self-study format. Buy the CLE “ticket” and save even more. If getting an edge in court matters to you, MCBA’s meet-the-judges programs are an invaluable source of information.

GET YOUR LOCAL LEGAL NEWS FROM US
MCBA makes it easy for you to stay in the know about what’s going on in your association, in the courts and in your legal community.
MCBA provides court and local legal news and information online at maricopabar.org, in print in the monthly Maricopa Lawyer and weekly in our Friday e-news.

PROFESSIONAL NETWORKING
The MCBA website has been fully redesigned to provide you with the latest updates, news and access to a full array of member benefits, including a new professional networking portal. Log into your new membership profile and contact other professional- als. The new website makes it easy to participate in forums, join groups, write your bio, add photos, upload your resume and much more!

GET INVOLVED
A great way to boost your legal reputation and credibility is to become involved in the MCBA’s various divisions, sections and committees. Be a CLE speaker, get published in the Maricopa Lawyer or become involved in the MCBA’s various divisions, sections and committees.

MCBA-SUPPORTED ORGANIZATIONS
The Maricopa County Bar Foundation
The MarCBF is the charitable arm of the association. It raises funds through the donations of members who give $15 above their dues amount each year when renewing their membership, through the annual BMO Private Bank Pro Bono Golf Classic and various other fundraisers throughout the year. Each year, the foundation makes grants to a number of worthy law-related organizations.

Volunteer Lawyers Program
The Volunteer Lawyers Program is a joint project between the MCBA and Community Legal Services to provide legal services to the indigent in Maricopa County and to recruit attorneys for pro bono representation. It also serves as a reminder of how lawyers benefit the community service activities of the Young Lawyers Division, individuals in the paralegal/legal assistant dues category are likewise members of the Paralegal Division.

MCBA SPECIAL OCCASIONS
Annual Meeting/Hall of Fame/Awards Luncheon
Created to honor MCBA and Maricopa County greats. Annually in October.

Baristas Ball
“Lick” legal community’s formal gala each March that benefits a charitable organization.

BMO Private Bank Pro Bono Golf Classic
Great golf in November to benefit the Maricopa Bar Foundation and the Volunteer Lawyers Program.

Arizona Paralegal Conference
Paralegals are an active part of the MCBA and this annual September conference of educational programs, exhibitors, and networking events is the largest of its kind in the state.

MCBA-SPONSORED EVENTS
Annual Meeting/Hall of Fame/Awards Luncheon
Create an opportunity to engage with other attorneys in the local community.

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Great golf in November to benefit the Maricopa Bar Foundation and the Volunteer Lawyers Program.

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MCBA give you those opportunities through networking with peers across practice areas and firm types at social and business events governance activities support of the local justice system, and community service activities

Paraphrase, Ann Oliwier, The Zen of Associations

What’s in it for you in 2014?
For every hour you work or volunteer, you can earn more, learn more, connect with peers, improve as a leader and change the world for the better... MCBA give you those opportunities through affordable, quality continuing legal education programs.

ClienPractice Management System for Solos and Small Firms
Clio is a 100-percent, Web-based legal practice management system optimized to meet the needs of sole practitioners and small firms. Secure and easy to use, Clio overcomes many of the technical hurdles offered by conventional practice management solutions, allowing lawyers to simplify their workflows and focus valuable time on building their practice. Inuitive in its design, Clio’s clean user interface allows users of any device (Mac, PC, iPad or smartphone) to access their practice data securely through an encrypted Web browser. Sign up for Clio as a member of MCBA and receive a 10 percent lifetime discount on Clio, in addition to a free 30-day trial, free data migrations, and unlimited access to live customer support and training. www.goclio.com/landing/mcba or 1-888-859-CLIO.

CORPORATE PARTNERS
The MCBA Member Insurance Program could well be one of the most valuable benefits of your membership: Insurance Specialist, Inc, provides a broad base of insurance services and significant savings. ISI, as one of the original Affinity insurance administra- tors, brings to you over 50 years of experience in providing these programs to bar associations. Members of MCBA are now able to access nationwide insurance programs tailored for attorneys. Ap- plicants benefit from quality plans featuring simplified underwrit- ing, shortened applications, online sales access, discounted rates and personalized service. Member insurance program through ISI offers quality options and service. Call 1-888-474-1959 or visit online at www.isi1959.com/MCBA.

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Corporate Office Centers
Whether you need just a receptionist and mailing address to front your virtual office, or a full-blown suite of offices with con- ference space, all fully furnished and equipped, Corporate Office Centers (COC) can make it happen fast. COC has six Valley loca- tions, including right across from the courthouse in CityScape. Us- ing COC involves no capital expenditure and flexible or traditional space within a 24–48-hour time frame. Be sure to indicate you’re an MCBA member for best rates and service. Cathy Judge (602) 953-5300 or mbjud@corpooff.com.

Teris
Teris is a full-service litigation support firm that uses the most innovative technologies available. Services include: Electronic discovery hosting, forensic computing, document scanning and imaging. Frank Mancini (602) 241-9330 or fmancini@ teris.com or www.teris.com.

Brooks Brothers
Enroll for Brooks Brothers corporate membership card and you save 15 percent on regular and everyday value priced merchandise at stores (Scottsdale Fashion Square at Camelback and Scottsdale Road). Enroll online at Membership.Brooks-Brothers.com (do NOT include http:// or www. in front of the website address). You will be prompted to validate your MCBA membership by using the MCBA organization ID and pin code. You may also enroll by telephone at 1-866-315-4747, during ET business hours; have the organiza- tion ID and pin code ready.

Doug Reed Professional Liability Insurance Services
If you’re a sole practitioner or in a small to mid-sized (up to 25-member) firm, this agency has insurance to suit. Their goal is to be a single source for Maricopa County attorneys to obtain high quality malpractice insurance coverage with prices that are reason- able and sustainable: 8711 E. Pinnacle Peak, Suite F-110, Scottsdale, AZ 85255. 480-998-1068 or 800-324-1068.

Hertz
Now you can take advantage of special year-round savings through the Hertz Member Benefit Program through MCBA. You’ll be quoted the best rate for your rental at the time of reserva- tion. For reservations and information, call Hertz’ members-only toll free number at 1-800-654-2200 and mention your Hertz Dis- count CD#P 24454. Present your membership card at the time of rental.
Judge Mroz and Admin. Evans receive national achievement award

Judge Rosa Mroz (left) and Probate Administrator Elizabeth Evans (right) accept the Justice Achievement Award at the 2013 National Association for Court Management Conference in San Antonio, Texas. The Justice Achievement Award, NACM’s highest honor, was awarded to the Probate and Mental Health Department for their dedication to reinventing probate court and restoring public trust and confidence in the judiciary.

The Judicial Branch wins NACos

In 2013, the Judicial Branch of Arizona in Maricopa County was selected as recipients of six awards from the National Association of Counties. To recognize the creativity and imagination of counties, NACo presents a number of awards each year to county officials, their employees and the counties themselves. Below is a list of Judicial Branch programs that won awards:

- The Adult Probation Department Assessment Center, Cynthia Stevens, Division Director, Presentence Investigations, Assessments and Assignments
- Maricopa County Regional Homeless Court, Karen Westover, Deputy Court Administrator
- Reinventing Probate Court in Maricopa County: Restoring Public Trust, Elizabeth Evans, Probate Court Administrator
- Settlement Conference on Demand, Paula Collins, Criminal Court Administration
- Stress Management Program for Employees Exposed to Vicarious Trauma, Adult Probation
- Veterans Court, Wes Shipley, Director, Eastern Field Division

Neglect and Abuse Cases Have Substantial Value

Vulnerable or incapacitated residents of Nursing Homes, Assisted Living Facilities, and Group Homes for the Developmentally Disabled who are victims of neglect and abuse may be entitled to substantial compensation.

Solomon & Relihan has more than a decade of experience litigating these complicated and costly cases and has recovered tens of millions of dollars for our clients.

If you have a client that has suffered injury or death in a residential facility and would like to discuss their case, please call:

Martin J. Solomon
602-387-3000

We welcome referrals and will share fees consistent with ER 1.5.
**CLASSIFIEDS**

To place a classified ad, please e-mail shamlin@maricopahbar.org or call (602) 257-4200.

**LEGAL SERVICES**

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**OFFICE SPACE AVAILABLE AT 77TH ST. & THOM-**

**SSEN’S RD. Executive Suites, Virtual Offices and large stand-alone offices. Executive Suites include full service reception, kitchen, conference rooms, copy machine, security system. Large stand-alone offices: 1,230 sf, 1,750 sf and 2,252 sq ft. E. Thomas Road 602-722-4251.**

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**tarial space, smaller offices available. Large and small conference rooms, kitchen, cable, quiet street, covered parking. North of Bethany at 714 East Rose Lane. Call Rick 602-230-2916.**

**MESA, 1310 E. SOUTHERN AVE – 6,532 SF of rentable office space available for single tenant lease. 10 private offices with class “A” upgrades featuring high-end finishes, custom iron doors and arched doorways, granite desks and countertops, Travertine flooring, chandeliers, kitchen, conference room with flat-screen TVs and mini-fridge. Lease beginning June 2014 with or without as is furnishings, full-service copier and/or installed telephone system. Visit www.galleryPlazaAz.com for photos. Please call 602-380-8080 or 602-354-5066.**

**LEGAL OFFICES FOR RENT – Up to 5 offices with 1 secured station available. Near third street and Osborn. Conference room and kitchen facilities. Rent negotiable. Contact Elia at elia@theber-**

**tonero.com.**

**OFFICE SHARE (SCOTTSDALE AIRPORT AREA). A MUST SEE!! Second story office(s) with beauti-**

**ful views and direct access. The office(ous) with or without secretarial bay included. Rent includes use of conference room, internet ac-**

**cess, law library and kitchen. Furniture and cov-**

**ered parking is available if needed. Easy access to 101 Freeway, full security system, affordable rates and immediate occupancy is available. Call Susan at 602-263-0203 or email mavia@alvarez-gilbert.com.**

**SHARE SPACE WITH ESTABLISHED 30+ AT-**

**TORNEY AV-RATED law firm located in central Phoenix with direct freeway access. Completely remodeled with high-end finishes, conference rooms with smart boards/full AV, library with li-**

**brarian, kitchens, signage, on-site copy/office ser-**

**vices. Call Patty (480) 429-4099**

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**cies on the Bankruptcy Court, District of Arizona-Phoenix & Tucson. Announcement & ap-**

**plication available at http://judgeship亮丽 courts.gov or personnel@ceb.uscourts.gov. Apps due 5 p.m., 10/17/2013.**

**SPECIALS**

**2003 CHAPARRAL SIGNATURE 320 BOAT – Twin Volvo 350 V8, 5K Kohler Gen, Centra Heat and AC, Windlass, Remote Stereo with Ipod input, Sleeps 6, Twin Fridge/Freezer, Helm and A/C, 3 Axil Trailer, 240 Hours. (518) 229-0252 Joe in Phoenix, jdmkswords@aol.com**

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**ADOPITION**

**Christina W. Kelly Ponsineli, PC.**

**BANKRUPTCY**

**Nathan J. Brelsford Pickarts & Brelsford**

**Meredith H. Flori Bellah Perez**

**Jillian Hino Law Office of Jillian Hino**

**Ross M. Mumme Law Office of Ross Matthew Mumme**

**Randy Russellm Nushbaum, Collins & Dinner**

**Donald W. Powell Carnmichael & Powell**

**James P. Webster Law Office of James Portman Webster**

**CONSUMER**

**John P. Ager Sercweg & Ager**

**Brian M. Flaherty Ponsineli, PC.**

**VOLUNTEER LAWYERS PROGRAM THANKS ATTORNEYS**

The Volunteer Lawyers Program thanks the following attorneys and firms for agreeing to assist on 25 cases referred by VLP to help low-income families. VLP supports pro bono service of attorneys, by screening for financial need and legal merit and provides primary malpractice coverage, donated services from professionals, training, materials, mentors and consultants. Each attorney receives a certificate from MCBA for a CLE discount. For information about ways to help, please contact Pat Gerrich at VLP at 620-254-4714 or pgerriich@clsaaz.org.

**ADPTION**

**Christina W. Kelly Ponsineli, PC.**

**BANKRUPTCY**

**Nathan J. Brelsford Pickarts & Brelsford**

**Meredith H. Flori Bellah Perez**

**Jillian Hino Law Office of Jillian Hino**

**Ross M. Mumme Law Office of Ross Matthew Mumme**

**Randy Russellm Nushbaum, Collins & Dinner**

**Donald W. Powell Carnmichael & Powell**

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**CONSUMER**

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**Brian M. Flaherty Ponsineli, PC.**

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**ED JOHNSON Law Office of Ed Johnson**

**NANCY E. TRIBBENSEE Arizona Board of Regents**

**OTHER MATTERS**

**SHAWN K. AIKEN (3 CASES) Aiken Schenk Hawkins & Riccardi, PC.**

**TORTS**

**NEIL J. HARRINGTON Sole Practitioner**

****PRO BONO SPOTLIGHT ON CURRENT NEED**

Lawyers and paralegals who speak Spanish are needed to assist low-income families.

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**WE’RE ON FACEBOOK AND TWITTER**

There’s a lot going on at the MCBA. Keep us up with us by following our Facebook and Twitter pages.
THURSDAY, OCT. 10
7:30 – 9 AM (Breakfast included)

Powers of Appointment: The Good, the Bad and the Ugly

SPONSORED BY: MCBA Estate Planning, Probate and Trust Section
1.5 hours CLE credit available

Powers of appointment drafted into trusts are incredibly powerful, when utilized correctly. This 1.5-hour program will explore the benefits and pitfalls of powers of appointments, including drafting tips and tax concerns. This in-depth discussion topic is sure to bring some exciting and thought-provoking discussion particularly in an interactive environment. With breakfast included, how can you go wrong?

PRESENTER:
T.J. Ryan, Frazer Ryan Goldberg & Arnold, LLP

COST:
MCBA members: $62.50
MCBA Estate Planning, Probate and Trust members: $55
MCBA Paralegal & Public Lawyer Division members: $40
MCBA Student members: $10
Non-members: $102.50

FRIDAY, OCT. 18
12 – 1:30 PM (Lunch included)

Social Security Benefits and Claiming Strategies for the Family Law Attorney

SPONSORED BY: Family Law Section
1.5 hours CLE credit available

This CLE will focus on the issues family law attorneys must consider when a client receives or plans to receive social security benefits. This seminar will provide a basic explanation of social security benefits and rules, as well as address issues specific to divorce, including a discussion of the divorced spouse’s benefit and the effects of delayed retirement on social security. In addition, this seminar will identify various claiming and planning strategies that will be useful in advising divorcing clients.

PRESENTERS:
Nancy Fromm and Cristina Acosta, Counsels, Money Wise

COST:
MCBA members: $62.50
MCBA Family Law Section members: $55
MCBA Paralegal & Public Lawyer Division members: $40
Non-members: $102.50
MCBA Student members: $10

THURSDAY = SEPT. 19
7:30 – 8:30 AM (Breakfast included)

Factors to Help Make Your Clients’ FLP Bulletproof to Audit Challenge

SPONSORED BY: Estate Planning, Probate and Trust Section
1.5 hours CLE credit available

Family Limited Partnerships (FLPs) and Limited Liability Companies (LLCs) are a mainstay in every estate planner’s toolbox. Our speaker will review “real life” factors, which are necessary to survive challenge to your discount - or worse - drawback of the entire gift into the estate. He also will cover “My client’s estate is the most common exit strategy issues, and (i) structuring issues, (b) tax issues related to the formation of the LLC and allocation of gain and loss, (c) equity grants to LLC members. Be prepared to hear comments by environmental attorneys on related climate change issues and a discussion of President Obama’s policy statement recently released titled “The President’s Climate Action Plan” (June 2013).

PRESENTER:
Ira S. Feldman, CPA CVA(ret) AEP

COST:
MCBA members: $62.50
MCBA Estate Planning, Probate and Trust members: $55
MCBA Paralegal & Public Lawyer Division members: $40
MCBA Student members: $10
Non-members: $102.50

THURSDAY = SEPT. 19
11 AM – 2 PM (Lunch included)

Climate Change in the Southwest – Recent Developments

SPONSORED BY: Environmental and Natural Resources Law Section
3 hours CLE credit available

Don’t miss this opportunity to hear from a noted University of Arizona professor Gregg Garfin, PhD, Deputy Director for Science Translation and Outreach, Institute of the Environment at the University of Arizona in Climate, Natural Resources and Policy and hear the latest information in the climate change debate. This informative presentation on the science of climate change will focus on a recent report titled “Assessment of Climate Change in the Southwest United States: A Report Prepared for the National Climate Change Assessment” which is relative to the Arizona climate change debate and was edited by Dr. Garfin and others. Be prepared to hear comments by environmental attorneys on related climate change issues and a discussion of President Obama’s policy statement recently released titled “The President’s Climate Action Plan” (June 2013).

PRESENTER:
Gregg Garfin, PhD, University of Arizona professor

COST:
MCBA members: $80
MCBA Environmental & Natural Resources Law Section members: $70
MCBA Paralegal & Public Lawyer Division members: $60
MCBA Student members: $10
Non-members: $102.50

THURSDAY = SEPT. 19
12 – 1 PM (Lunch included)

Limited Liability Company Operating Agreement Drafting Tips

SPONSORED BY: Corporate Counsel Division
1 hour CLE credit available

The LLC operating agreement defines the business relationships among the managers and the members, both operationally and financially. This program will provide you with a guide to drafting and reviewing LLC operating agreements including: (a) formation and capital structuring issues, (b) tax issues related to the formation of the LLC and allocation of gain and loss, (c) equity grants to LLC service providers, (d) management and voting rights, (e) restrictions on members including covenants not to compete, (f) restrictions on transfers of membership interests, (g) dispute resolution matters, (h) common exit strategy issues, and (i) special issues for tax-exempt organization members.

PRESENTER:
Jeffrey B. Fugal, Quarles & Brady, LLP

COST:
MCBA members: $45
MCBA Corporate Counsel Division members: $40
MCBA Paralegal & Public Lawyer Division members: $45
MCBA Student members: $10
Non-members: $75

MCBA members: $40
MCBA Paralegal & Public Lawyer Division members: $60
MCBA Student members: $10
Non-members: $130

The State Bar of Arizona does not approve or accredit CLE activities for the Mandatory Continuing Legal Education requirement. The activities offered by the MCBA may qualify for the indicated number of hours toward your annual CLE requirement for the State Bar of Arizona, including the indicated hours of professional responsibility (ethics), if applicable.
SATURDAY • OCTOBER 26
7:15 AM - 4 PM (Lunch included)

2013 MCBA Litigation Skills Institute:
Expert Witness

SPONSORED BY: Litigation Section.
7 hours CLE credit available, 1 hour ethics

The MCBA Litigation Skills Institute provides litigators with the chance to get real-world trial experience and feedback in an intensive, single-day CLE. The focus of this year’s Litigation Skills Institute is expert witness examinations and presentations. Participants will receive a case study and contact information for their expert witnesses—who are real experts, not actors. Participants will conduct and defend direct and cross examinations of the experts, as well as make opening statements and closing arguments, before the Institute’s faculty members, all of whom are current and former Arizona judges and experienced Arizona litigators. At the end of each trial, the faculty will provide direct, one-on-one feedback to the participants.

The Institute is open to any active Arizona attorney, but it will likely be most beneficial to litigators who already have some courtroom experience and are eager for a more advanced experience, particularly on expert witness examinations. The Institute is also designed to be a resource to litigation practice group leaders who are looking to train their rising litigators in an affordable manner. In making the pairings for the trials, every effort will be made to try to match attorneys with similarly experienced attorneys. In order to ensure one-on-one feedback, the program is limited to 28 participants.

FACULTY:
Hon. Roslyn Silver
Hon. Mark Aceto
Hon. David Gass
Hon. Douglas Rayes
Hon. Brian Rees
Hon. Timothy Ryan
Tony Freeman, Freeman Law, PLLC
Andrew B. Turk, Polsinelli, PC
Rick Erickson, Snell & Wilmer
Foster Robberson, Lewis and Roca, LLP
Randy Papetti, Lewis and Roca, LLP
Sharon Shively, Sacks Tierney, PA
Jeffrey Leonard, Sacks Tierney, PA
Scott Gibson, Davis Miles McGuire Gardner, PLLC

COST: • MCBA members: $280
• Non-members: $385

THURSDAY, SEPTEMBER 12
8:30 AM - 5:30 PM (Lunch included)

How to Work with Child Protective Services:
An Overview for Family Law Practitioners

SPONSORED BY: Family Law Section
6 hours CLE credit available

TOPICS:
A Child Protective Services Case Manager shows up at my client’s door. Now what?
A primer for the family law practitioner on the Arizona Child Welfare System
The options for services to prevent removal
Substantiation and its effects on a client
Why children are removed and the result
The Indian Child Welfare Act and its role in removal
Obtaining a non-parent custody order—looking at a client’s options
In loco parentis
Guardianship
Dependency
A.R.S. §8-807 – How to obtain CPS records
• Breakdown of the statute
• DES policy on release of information
• What can you get? What are you never going to get?
• A CPS case worker as a witness–what they can say and what they cannot
Dealing with multigenerational families—how to prevent/avoid conflicts
Primary goal: Keep the children safe
Representing grandparent and parent
Who is the client?
Duty of confidentiality and waiver

PRESENTERS:
Laura B. Monte, Donaldson Stewart, PC
Rebecca L. Owen, Rebecca L. Owen, PLLC
Colleen O. Smith, Protective Services Section Unit Chief, Arizona Attorney General’s Office
Wendy Briske, Deputy Program Manager, Arizona Department of Economic Security, CPS

COST: • MCBA members: $180
• Non-members: $275
• MCBA Family Law Section members: $160
• MCBA Paralegal & Public Lawyer Division members: $120
• MCBA Student members: $10

BULLETIN BOARD POLICY

If you are an MCBA member and you’ve moved, been promoted, hired an associate, taken on a partner, or received a promotion or award, we’d like to hear from you. Talks, speeches (unless they are of national stature), CLE presentations and political announcements are not accepted. In addition, the Maricopa Lawyer will not print notices of honors determined by other publications (e.g., Super Lawyers, Best Lawyers, etc.). Notices are printed at no cost, must be submitted in writing, and are subject to editing. Items are printed as space is available. News releases regarding lawyers who are not MCBA members in good standing will not be printed.
Arizona and his B.A. from Stanford University. Vynalek is a member of The University of Arizona Law College intern for U.S. Senator John McCain, a graduate of the Commissioner for the Arizona Commerce and association Minority Intern Writing Program. He is a 55 wishes in a single year -- one every single day.

Among his many accomplishments, Vynalek is a former liaison for the Maricopa County Bar Association Minority Intern Writing Program. He is a member of the State Bar of Arizona and the American Bar Association Young Lawyer’s Division. He is the Commissioner for the Arizona Commerce and Economic Development Commission, a former legal intern for U.S. Senator John McCain, a graduate of the Valley Leadership Institute Class XXVI, a board member of The University of Arizona Law College Association and a pro-bono attorney for the Volunteer Lawyers Program, Wills for Heroes, and the National Center for Missing and Exploited Children. Vynalek received his J.D. from the University of Arizona and his B.A. from Stanford University.

Brad Vynalek

Don Bivens has been named chair of the American Bar Association (ABA) Section of Litigation. As chair, Bivens will lead a national team of professionals dedicated to serving section members and engaging their passion for practice, public service and the profession.

The 60,000-member Section of Litigation is the largest in the ABA and the nation’s leading organization for lawyers involved in litigation and trial practice. The section produces top-flight professional education for litigators nationwide and serves as the voice of the profession on matters related to courts and the administration of justice.

In addition to his new role at the ABA, Bivens has previously served on the ABA’s Board of Governors and was elected three times statewide as Arizona’s State Delegate to the ABA House of Delegates. He is a past president of the Western States Bar Conference, the State Bar of Arizona and the Maricopa County Bar Association. He is a former state chair of the Arizona Democratic Party, chaired Arizona’s Lawyer Representatives to the Ninth Circuit Judicial Conference and is a member of the American Law Institute.

At Snell & Wilmer, Bivens represents clients at trial in a wide variety of matters involving securities fraud, patent infringement, lender liability, environmental liability, professional negligence, officer and director liability, products liability, employment discrimination, real estate and construction, business torts and class actions. His practice also encompasses government relations.

Bivens received his J.D. from the University of Texas School of Law. He graduated with a B.A. in English, magna cum laude, from Yale University.

Marcel Valenta

Mark Harrison

Mark Harrison received the Charles W. Kentwell Legal Ethics Advisor Award at the 2013 Association of Professional Responsibility Lawyers (APRL) annual meeting in San Francisco, Calif., on Aug. 8. Notwithstanding significant APRL obligations, Harrison has consistently attended and presented at APRL meetings for more than 20 years. He has also been instrumental in assisting APRL and its members in maintaining close ties to the ABA Center for Professional Responsibility. At Osborn Macedon, Harrison’s practice areas include alternative dispute resolution, appellate, commercial litigation, and ethics and professional liability.

Harrison is past president of the Maricopa County Bar Association and also served on the Board of Directors. He is also past president of the State Bar of Arizona. He received his LL.B. from Harvard Law School and his B.A. from Antioch College.

NEW HIRES

Bryan Cave, LLP announced that Marcel Valenta has joined the firm’s Phoenix office as of counsel. He will practice within the firm’s Transactions and Corporate Finance and Securities practice groups.

Valenta has more than 10 years of experience advising U.S. and foreign clients on acquisitions, divestitures, joint ventures, strategic alliances and other business transactions. He also devotes a significant amount of time to representing emerging growth technology companies in an array of venture capital, private equity, securities and strategic transactions. Before joining Bryan Cave, Valenta was Senior Corporate Counsel handling mergers and acquisitions and commercial transactions for Hewlett-Packard Company in Palo Alto, Calif. Prior to his career with HP, Valenta practiced in the Silicon Valley office of an AM Law 100 global law firm specializing in mergers and acquisitions and venture financings.

Valenta has an international background. He studied law at the University of Florence in Italy and received a J.D. from Humboldt University in Berlin, Germany in 1999. After moving to the U.S., he received his LL.M. (2000) and J.D. (2003) from Northwestern University School of Law. He is fluent in English and German and conversational in Italian. Valenta is admitted to practice in Arizona, California and Illinois.

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Valenta has an international background. He studied law at the University of Florence in Italy and received a J.D. from Humboldt University in Berlin, Germany in 1999. After moving to the U.S., he received his LL.M. (2000) and J.D. (2003) from Northwestern University School of Law. He is fluent in English and German and conversational in Italian. Valenta is admitted to practice in Arizona, California and Illinois.

Fennemore Craig is pleased to announce that Craig D. Tindall has joined the firm as of counsel. In his new role, Tindall will practice in the areas of municipal law, commercial transactions, public private partnerships, public financing, real estate development, and election law.

Prior to joining Fennemore Craig, Tindall served as the city attorney for Glendale, Ariz., and was instrumental in its transformation into a destination for local and national cultural events. As the city’s chief legal officer, he directed the legal aspects of the city’s development of its sports and entertainment district, including construction of the University of Phoenix Sun Devil Stadium, Jobing.com Arena, and Camelback Ranch Spring Training Facility.

Tindall received his J.D. from Southern Methodist University and his B.S. from Arizona State University.

NEW FIRM

Lewis and Roc& is headquartered in Phoenix, and Rotherger Johnson & Lyons, LLP, a century-old Rocky Mountain firm, announced that they will combine forces to create one of the largest law firms in the Western U.S.

When the firms officially join on Sept. 1, 2013, the new 250-lawyer firm will be called Lewis Roc& Rotherger, LLP. With a presence in Arizona, Colorado, Nevada, New Mexico and Wyoming, the firm will maintain nine offices, including Phoenix, Denver, Las Vegas, Tucson, Reno, Colorado Springs, Albuquerque, Silicon Valley and Casper.

Lewis and Roc’s highly regarded real estate, energy and regulatory, intellectual property, gaming, and labor and employment practices will benefit from Rotherger Johnson & Lyons’ reputation and long-standing relationships in the Rocky Mountain region. In addition, Rotherger Johnson & Lyons’ national litigation and insurance reorganization, religious institutions, banking and energy practices, combined with Lewis and Roc’s capabilities, will enable the new firm to offer clients an even greater depth and breadth of expertise.

Jennifer Cranston receives Mills Member of the Year award

continued from page 1

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ARIZONA PARALEGAL CONFERENCE 2013
FRIDAY, SEPTEMBER 27 • 7:30 A.M. - 5:00 P.M. • HYATT REGENCY PHOENIX, 122 N. 2ND ST., PHOENIX

Sponsored by: the MCBA Paralegal Division
Keynote Speaker: Chief Justice Rebecca White Berch
Prosecutor Juan Martinez to read proclamation

CLE PROGRAMS FOR PARALEGALS

THE FAIR CREDIT REPORTING ACT:
WHAT’S “FAIR” GAME WHEN REVIEWS SOMEONE’S CREDIT
Credit reporting companies provide a great resource for paralegals conducting background checks on individuals. However, those utilizing this resource must be cautious not to violate the rules of the Fair Credit Reporting Act (FCRA) by improperly accessing a consumer's credit report. Join us for a seminar where we will discuss the do's and don'ts of accessing a consumer's credit report without exposing your firm to costly litigation.
PRESENTERS: Marshall Meyers, Weisberg & Meyers LLC

NOT JUST GIGABYTES:
HOW INTELLIGENT STRATEGY REDUCES E-Discovery COST
From forensic collection through filtering and review, this CLE will educate attendees on both basic “no brainer” and modern cutting edge cost saving strategies. The instruction references real-world experience and easy to relate project scenarios. You will learn how some logic, critical thinking and intelligent process design can improve client relations and vendor experiences while reducing costs.
PRESENTER: Brandon Colburn, Teris

CAREER TRANSITIONS:
WHAT ELSE CAN I DO WITH MY PARALEGAL SKILLS?
In this breakout session you will hear from three professionals working in the legal community in non-traditional paralegal “jobs” on how to utilize your paralegal skills in other career fields.
PRESENTERS: Eboni Rogers, Drive Time; Kelly Braniger, Homeowners Financial Group; and Carey Granda, Snell & Wilmer

SECRET OF BODY LANGUAGE:
WHAT YOUR CLIENT IS TELLING THE JURY
With over 39 years of law enforcement experience, Det. Hawkins will teach the art of using body language and non-verbal reaction cues that might help, or hurt, your client in trial proceedings. Det. Hawkins will discuss various aspects of body language and how it helps a person conducting an interview determine whether the person they are speaking with is being truthful or showing signs of deception.
PRESENTER: Det. Rob Hawkins

MALPRACTICE AND YOUR ROLE AS A PARALEGAL:
HOW YOU CAN AFFECT MALPRACTICE ISSUES
This CLE will focus on the topic of loss prevention and the critical role that paralegals play in that process. It will focus on basic steps that paralegals can follow to ensure that the attorneys and firms are not exposed to unnecessary and, more importantly, avoidable risks.
PRESENTER: Lisa Coulter, Snell & Wilmer

GENERAL SESSION

TAMING THE TOXIC TRICKLE:
USING TIME MANAGEMENT AND MINDFULNESS TO ENHANCE YOUR LIFE
Got stress? We can help. In a lively, hands-on seminar, you'll learn time-tested techniques to relax, organize and get control over your work and your life. You'll learn how to “tame the toxic trickle,” work smarter and bring a sense of calm to everything you do.
PRESENTERS: Jim Fassold & Alina Gray, Tiffany & Bosco

REGISTRATION FEE INCLUDES:
Comprehensive educational materials; 6 hours of (CLE); full breakfast, buffet lunch and refreshments; interaction with vendors who serve the legal community; door prizes and giveaways.

PRICING
MCBA Member: $185, Non-Member: $250, Student Member $75, Student Non-Member: $100
Questions? Contact Bree Boehlke at bboehlke@maricopabar.org or (602) 682-8588.
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